

REMARKS

I. Introduction

In response to the Office Action dated March 25, 2005, Applicants have amended claims 1 and 4 so as to further clarify the claimed subject matter. Support for these amendments can be found, for example, in Fig. 3 and at page 11, lines 12-18 of the specification. No new matter has been added.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

II. The Rejection Of Claims 1-7 Under 35 U.S.C. § 102

Claims 1-7 are rejected under 35 U.S.C. § 102(b) as being anticipated by USP No. 6,315,857 to Cheng. Applicants respectfully traverse this rejection for at least the following reasons.

In the December 22, 2004 response, Applicants argued, “Cheng appears silent with regard to providing polishing pads ... where ... the grooves of a given polishing pad do not align with the grooves of another adjacent polishing pad (see, page 5 of the Response).” In response, the Examiner asserted, “if the mosaic pads are placed adjacent to each other, the grooves will not align (see, page 2 of Office Action).” However, Applicants respectfully disagree with such interpretation, because it departs from what is disclosed from Cheng. Specifically, as expressly required by the polishing apparatus of Cheng, the polishing pads are placed in a *single-line* configuration so that the “long sides 205 of polishing pads 201 are parallel to the direction of

travel 110 (see, col. 3, lines 45-46).” In this manner, when a plurality of polishing pads having the pattern as illustrated in one of Figs. 3-5 are supplied onto the polishing belt 101, it is evidently clear that the pattern of the “front” pad *aligns* with that of the pad located immediately behind the “front” pad.

Furthermore, claim 1 recites “each of the polishing pads being provided with a plurality of grooves each extending *linearly* in the drive direction of the polishing pads.” In the “Response to Arguments” section, the Examiner asserts that “the grooves, 503, of fig. 5 [of Cheng], have a linear component that extends in the drive direction.” As a preliminary matter, Applicants respectfully submit that it is unclear to which “linear” component this allegation is referencing. Even assuming *arguendo* that such an interpretation has merit, it should be noted that the grooves 503 is formed in a *diamond configuration* so as to provide the outer portion of the pad having a higher density of grooves with a different removal rate than the inner portion of the pad (see, col. 4, line 65 to page 5, line 9). That is, the diamond pattern of Cheng does not extend *linearly* in the drive direction of the polishing pads 201, or extend in the *same direction* as the drive direction of the polishing belt 101. Accordingly, Cheng does not disclose or suggest “each of the polishing pads being provided with a plurality of grooves each extending linearly in the drive direction of the polishing pads” and “the grooves extend in the same direction as the drive direction of the surface plate,” as recited by claim 1.

With respect to claim 4, as this claim also includes the claimed feature “the grooves of each polishing pad are spaced *not to align* with the respective grooves of a polishing pad adjacently arranged in the drive direction of the surface plate,” it is respectfully submitted that claim 4 is patentable over Cheng for reasons discussed above with respect to claim 1.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Cheng fails to disclose or suggest the foregoing claim elements, it is clear that Cheng does not anticipate claim 1 or 4, or any of the claims dependent thereon.

III. All Dependent Claims Are Allowable Because The Independent Claims From Which They Depend Are Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as independent claims 1, 5 and 19 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

IV. Conclusion

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited.

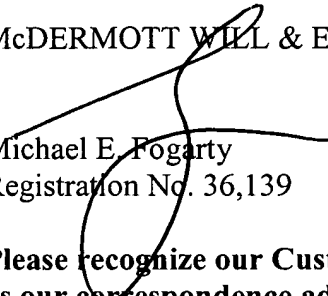
If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Application No.: 10/665,015

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF/AHC/dlb
Facsimile: 202.756.8087
Date: June 22, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**